



## FOR CLERK USE ONLY

City Council

Item No. \_\_\_\_\_

CITY COUNCIL AGENDA  
FACT SHEET

Administration

Department

October 13, 2009

Requested Date

## 1. Request:

Council Approval ☐Other (specify) ☒Information Only/  
Presentation ☐Hearing ☐

## 2. Requested Action:

Consider approving a Resolution regarding payment of attorney's fees.

## 3. Fiscal Impact:

Revenue:

Increase ☐Decrease ☐

Source:

N/A

Amount:

\$

Cost:

Increase ☐Decrease ☐

Source:

N/A

Amount:

\$

Does Not Apply ☐

## 4. Reviewed By:

Finance Dept. on \_\_\_\_\_

By: \_\_\_\_\_

Comments: \_\_\_\_\_

City Attorney on \_\_\_\_\_

By: \_\_\_\_\_

Comments: \_\_\_\_\_

*Note: Back up must be submitted along with this form. Deadline is 5:00 p.m., 2 Fridays before the scheduled meeting date.*

## CLERK USE ONLY:

CITY COUNCIL DATE: \_\_\_\_\_

Action ☐Consent ☐Hearing ☐Filing ☐Presentation ☐Other(specify) ☐ \_\_\_\_\_

Reviewed by: City Clerk \_\_\_\_\_

Date \_\_\_\_\_

City Manager \_\_\_\_\_

Date \_\_\_\_\_

## **CITY COUNCIL AGENDA REPORT**

**SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
CALEXICO REGARDING PAYMENT OF ATTORNEY'S FEES AND COSTS**

**AGENDA DATE:** October 13, 2009

**PREPARED BY:** Jennifer M. Lyon, City Attorney

**APPROVED FOR AGENDA BY:** Victor Carrillo, City Manager

**RECOMMENDATION:** Consider Resolution

**FISCAL IMPACT:** None.

**DISCUSSION (Current consideration):** Several Councilmembers have expressed an interest in adopting a policy to state that if the City enters into a settlement agreement, such agreement shall not include the payment by the City of the other party's fees and costs for attorney services.

**Agenda Item No. \_\_\_\_\_**

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RESOLUTION NO. 2009-\_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALEXICO  
REGARDING PAYMENT OF ATTORNEY'S FEES AND COSTS**

**WHEREAS**, the City also has the authority to enter into settlement agreements to settle pending or threatened litigation; and

**WHEREAS**, the City wishes to reduce payments of attorney's fees and costs to those who are engaged in or threatening litigation with the City.

**NOW, THEREFORE**, the City Council of the City of Calexico does hereby resolve as follows:

**SECTION ONE.** The City Council declares that it is the policy of the City to not enter into any settlement agreement that requires the City to pay attorney's fees or costs to a party engaged in or threatening litigation with the City, unless required by applicable law.

**PASSED, APPROVED, AND ADOPTED** at the regular meeting of the City Council of the City of Calexico this 13th day of October, 2009.

\_\_\_\_\_  
DAVID OUZAN, MAYOR

ATTEST:

\_\_\_\_\_  
LOURDES CORDOVA, CITY CLERK

STATE OF CALIFORNIA   )  
COUNTY OF IMPERIAL   ) SS.  
CITY OF CALEXICO       )

I, LOURDES CORDOVA, CITY CLERK OF THE CITY OF CALEXICO, DO HEREBY CERTIFY THAT THE ABOVE FOREGOING RESOLUTION NO. 2009-\_\_\_\_\_, WAS DULY PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF

CALEXICO ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2009 BY THE FOLLOWING  
VOTE, TO WIT:

AYES:

NOES:

ABSENT:

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LOURDES CORDOVA, CITY CLERK